

In The United States Courts,
Southern District of Ohio

Samuel Hoffmeyer (761637)
Lebanon Correctional Inst.
State Route 63 (LeCI)
Lebanon, Ohio 45036

Petitioner,

v.

Ohio Department of
Rehabilitation and Correction
Director, Annette Chambers-Smith
Respondent, et al.

* COMPLAINT:

* Case# 1:20CV637

* Petitioners Complaint
For Request For Federal
writ of Mandamus
and Instructive Relief

Lebanon Correctional Inst.
Warden, Harris (LeCI)
State Route 63
Lebanon, Ohio 45036
Respondent,

Lebanon Correctional Inst.
Prea Coordinator, Mr. Hudson (LeCI)
State Route 63
Lebanon, Ohio 45036
Respondent,

Lebanon Correctional Inst.
Institutional Inspector, Devin Hoover (LeCI)
State Route 63
Lebanon, Ohio 45036
Respondent,

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
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Ohio Department of Correction (ODRC)
Chief Inspector, Chris Lambert
4545 Fisher Road, Suite D
Columbus, Ohio 43228

Respondent.

Now comes, Samuel Hoffmeyer, (761637), Petitioner-
Pro Se, Requesting a Federal writ of mandamus granting
him Judgement against The Ohio Department of
Rehabilitation and Correction, et al (ODRC), Requesting Specifically,
that (ODRC) Director and (LEC) Warden, as well as Prea
Compliance manager, comply with Federal Prison Rape
Elimination Act (Prea), Specifically (ODRC) Policy and
Administrative Rule 79-ISA-(02)(03)(04)(05).

Furthermore, Petitioner Request instant injunction
and Judgement to Remove all Restrictions Pursuant to
Administrative Rule 5120-9-31 Inmate Grievance procedure
and exhaustion, further Preventing Petitioner's writ end
access to courts to Redress conditions of his confinement
Specifically, Prea Complaints pursuant to 79-ISA-(02) Reporting,
and Staff/Inmate Retaliation.

Moreover, Petitioner request Judgement against (ODRC)
Chief Inspector, and (LEC) Institutional Inspector to
cease and disist any current or future restrictions as to
his Ability to Report Sexual Abuse, Retaliation, and (ODRC)
Staffs failure to comply with Federal Law.

by Institutional Inspector (LeCI) and Chief Inspector (ODRC).

Statement of Facts

The Petitioner, Samuel Hoffmeyer while under direct care and custody of the Ohio Department of Rehabilitation and Correction (ODRC) become Sexually Assaulted in former Institution Mansfield Correctional Institution (manCI) on January 10, 2019. As result Inmate Hoffmeyer filed Prea Complaint Pur 6120-9-31 Inmate Hoffmeyer was placed on and subject to 79-ISA-(02)(04) Classification, Accommodation, and monitoring 90 days.

Further, I was transferred and separated from my Abuse. Pur 79-ISA-04(c)(3)(b) by (manCI). Upon my arrival to Lebanon Correctional Inst. on March 17, 2020.

However, (LeCI) receiving staff did not honor Prea Protocol contrary to 79-ISA-04 Accommodation, monitoring Policy was not followed leading to further Abuse. In fact, (LeCI) staff were Deliberately Indifferent to my Prea Classification. they did not comply with Protocol as for requirements by (ODRC) DOTS Portal Database int./Transfer when Classifying me In fact, I was never provided Prea Classification as Potential at Risk Inmate. upon my arrival I was classed directly into general Population with another inmate leading to the first assault at (LeCI) after the additional assault I was denied Prea Protocol Report 79-ISA-(02)(04).

I was reclassified a second time to general population with another Inmate who orally Raped me and committed (CSII) gross Sexual Imposition. Here, had I been Single Celled according to Prea Protocol Accommodation this would more likely not have occurred. After my filing Prea Complaints as to the two Sexual assaults Per 5120-9-31 to Institutional Inspector (Cler) and Confronting (Cler) Staff as to the violations in defense Inspectors House and Lambert place Grievance Restriction as strategy to create censorship and estoppel designed to prevent me from Condemn the Conditions of my confinement and my access to courts and to Redress my right to be free from Sexual Assault. Here, as a result of the manifestation of repeated Prea violations Prea Coordinator, Investigators, and Inspector are now refusing me my Protection of Prea Federal Law Policy. As result I sought Protective Custody and was placed into Isolation where I am being denied all Institutional Correspondence. I was told Prea Transfer was denied 79-ISA-04(c)(3)(b). Here, Separation of Abuse is a requisite of Protocol. I was told I would remain in Isolation unit my Release date next year. I am being punished for being victim to Sexual Assault. The Proper Protocol would be to transfer me for my safety so that I may enjoy the same opportunities as other Inmates are. I have exhausted all Administrative remedies to my ability and Institutional Inspector has restricted my ability to further Condemn the Conditions of my confinement. After May 08, assault. I was refused Prea Complaint per 5120-9-31 and Inmate Incident Report Statement Per 79-ISA-0021 Reporting.

by (LECI) Institutional Investigators, and Institutional Inspector. I have been denied (OIRC) Complaint Statements and related documents. I was further denied Criminal Complaint(s) for Five Sexual Assaults which under Ohio Revised Code are Felony Sex Offenses. The Ohio State Highway Patrol (OSHP) having Jurisdiction over the Ohio Department of Rehabilitation and Correction refused to Prosecute Abuser's. Here, (LECI) Investigators influenced State Trooper not to file criminal charges against (LECI) Inmates after Prer violations Per 79-ISA-(02)(04). Further, due to the manifest of Policy violations now (LECI) Staff, Worden, Investigators, and Inspector are deliberately Indifferent to my having been repeatedly Sexually Assaulted. As result of (LECI) Staffs refusal to properly house and accommodate and provide Proper Protection under Federal Law, I Sought Protective Custody due to my Fear of Further Sexual Abuse and retaliation. I am currently in Single Cell Isolation. I am being denied Abuse Counseling, accommodation, monitoring, and Transfer Separation Per 79-ISA-(02)(04)(c)(3)(b).

Petitioner now Petitions this Court for Federal Protection and Relief under The Federal Prison Rape Elimination Act, further requesting injunctive relief through an order compelling Respondents to comply with Federal Law and do the following:

Relief

- 1). Order that, Inmate Petitioner Hoffmeyer (761637) be transferred Pursuant 79-ISA-04(c)(3)(b) to another state correctional Institution and released from Isolation.
- 2). Order that, Inmate Petitioner Hoffmeyer (761637) have Inmate Separation(s) of Abuse's to be placed into (ODRC) Dots Portal Database Statewide.
- 3). Order that, Inmate Hoffmeyer (761637) be accommodated, monitored, and Single Celled for the duration of his sentence and release on 5-9-21 due to continued Sexual Assaults, Sexual Harassment, and Retaliation Per 79-ISA(02)(04).
- 4). Order that, All inmates committing Sexual Assaults against Inmate Petitioner Hoffmeyer (761637) be Prosecuted according to Ohio Revised Code.
- 5). Order that, (ODRC) Chief Inspector, Chris Lombert, and (Lea) Institutional Inspector, Devin Hoover, immediately remove any/All restrictions Per 5120-9-31 Prohibiting Inmate Petitioner's ability to Report Sexual Assault, Free Policy violations, Staff retaliation, and prohibit any further such Restriction during his remaining Sentence.

6). Order that (ODRC) Chief Inspector, Chris Lambert, Provide Inmate Petitioner Hoffmeyer (761637) All (IER) Informal complaint resolutions Per 5120-9-31 for all the following Institutions, so that Inmate Petitioner may file a U.S. 42 1983 tort claim and to be able to comply with Exhaustion of administrative Remedies and to lawfully redress conditions of his Confinement and to avoid adverse Judgement/Summary Judgement. Institutions being: (LoRCI) (mer) (LaECI) (moner) and (LeCI) request Pursuant to R.C. § 149.43. (C)(2)(3)(a)(i) (ii)(b),

Damages

The Petitioner Inmate Hoffmeyer (761637) request that all remedial court cost be taxed to the Respondents in the above styled action.

Respectfully Requested,
Samuel Hoffmeyer
Samuel Hoffmeyer (761637)
Lebanon Correctional Inst.
State Route 63
Lebanon, Ohio 43036
Petitioner, Pro Se

#(761-637)
Lebanon Correctional Inst.
State Route 63
Lebanon, Ohio 45036

**INMATE
CORRESPONDENCE**

100 East 5th Street
Suite 103
Cincinnati, Ohio 45202



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